GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

WD & CW - ACB Case - Sri T.S.Lakshman Rao, C.D.P.O(Retd), Kodumuru, Kurnool - Trapped on 09.02.1994 -Prosecuted - Addl.Spl.Judge for SPE & AC, Hyderabad - found guilty - awarded the penalty of withholding of pension and gratuity in full permanently - Cr. Appeal No.491/2005 – Filed - Orders dated 09.02.2012 of the Hon'ble A.P.H.C – Acquitted - the A.O expired on 23.07.2018 - setting aside the orders issued in G.O.Rt.No.231, W.D.C.W & D.W (Estt.) Dept. dt.11.07.2005 - Release of pensionary benefits to the legal heirs of the deceased – Orders - Issued.

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DEPT FOR WOMEN, CHILDREN, DIFFERENTLY ABLED AND SENIOR CITIZENS (ESTT)

G.O.Rt.No.181. Dated:29.12.2022.

Read the following:-

01. G.O.Rt.No.96, WD&CW, dated 30.08.1994
02. Orders of the Addl.Spl.Judge for SPE & ACB, Hyderabad in C.C.No.11/1994, dated 09.03.2005
03. G.O.Rt.No.231, WD&CW(Estt), dated 11.07.2005
04. Orders of the Hon'ble A.P.High Court, dated 09.02.2012 in Criminal Appeal No.491/20015
05. DG, ACB, Lr.Rc.No.25/RCT-KUR/1994-S6, dated 16.05.2012
06. Commissioner, WD&CW, Lr.No.4874/Vig.2/2012, dated 27.09.2012
07. Sri T.L.Vinayaka Rao, S/o Late Sri T.Lakshmana Rao representation dated 02.03.2021.
08. Govt., Memo.No.WDC01/14025/Estt-A2/2015-3, dated 12.05.2021
09. From the Director, WD&CW, Lr.No.27031/23/2021-PEN-WD&CW, dated 13.06.2022.
10. Govt., Memo.No.WDC01/14025/Estt-A2/2015-5, dated 29.07.2022.
11. Noting of the Director, WD&CW in Comp.No.1439850 (Note#63).

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ORDER:

Late Sri T.S.Lakshman Rao, while working as Child Development Project Officer (C.D.P.O), I.C.D.S Project, Kodumuru, Kurnool District, was trapped by the A.C.B on 09-02-1994 while accepting illegal gratification of Rs.400/- from Sri B.Lakshma Reddy, R/o Gudur Mandal, Kurnool, for passing of transportation bills. Accordingly, in the G.O.1st read above orders were issued for prosecution of the Charged Officer in a Court of Law for offences punishable under Section 7, 11, 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988. Subsequently, the Charged Officer was retired from service on 31-08-1994, on attaining the age of superannuation.

2. Meanwhile, the Addl. Spl. Judge for SPE & ACB Cases, Hyderabad, in their judgment 2nd read above, has found the accused Sri T.S.Lakshman Rao, guilty and sentenced to undergo imprisonment for one year and to pay a fine of Rs.1,000/- and in default to undergo imprisonment for a period of three months. Accordingly and keeping in view the orders issued in G.O.Ms.No.2, Genl. Admn. [Ser-C] Dept., dt.04-01-1999 read with Rule-9 of A.P.Revised Pension Rules, 1980, orders were issued in G.O.3rd read above awarding the penalty of withholding of pension and gratuity in full permanently in respect of Sri T.S.Lakshman Rao, Retd. C.D.P.O, I.C.D.S Project, Kodumuru, Kurnool.

3. Subsequently, on the Criminal Appeal No.491 of 2005 filed by Sri T.S.Lakshman Rao, against the Judgment dt. 09-03-2005 in C.C.No.11 of 1994, the Hon'ble A.P.High Court in their orders 4th read above, while setting aside the judgment dated 09.03.2005 acquitted the A.O Late Sri T.S.Lakshman Rao, from the charges.

4. In the letter 5th read above, the D.G., ACB., A.P., has also informed that the Hon'ble A.P.H.C has set aside the conviction and sentences passed by the lower court against the A.O. He further opinioned that there are no grounds to prefer S.L.P. in the Supreme Court of India against the orders of the Hon'ble A.P.H.C and requested the Govt. to communicate the orders in the matter to them.

5. The Commnr., W.D & C.W., A.P., Hyd, vide his Lr. 6th read above, has forwarded the representation dt. 07-08-2012 of Sri T.S.Lakshman Rao, Retd. C.D.P.O, requesting for releasing of pensionery benefits including gratuity in pursuance of Hon'ble A.P.H.C orders dt.09-02-2012 in Criminal Appeal No.491/2005, acquitting him from the sentence imposed on him by the Addl. Spl. Judge for SPE & ACB Cases, City Civil Court, Hyd, judgment dt. 09-03-2005 in C.C.No.11/94. However, the Director, WD&CW has been requested to furnish the financial implication vide Govt., Memo.dated 19.11.2015 and reminded on 17.01.2016 .

6. Meanwhile, Sri T.L.Vinayaka Rao, S/o Late Sri T.S.Lakshman Rao, vide his representation 7th read above addressed to the Prl.Secy., Deptt., for WCDA & SC has mentioned that Sri T.S.Lakshman Rao expired on 23.07.2018 and requested to take action to finalize the matter and pay the retirement benefits of Late Sri T.S.Lakshman Rao, to his legal heirs to avoid contempt of court proceedings.

7. The Director, WD&CW, vide letter 9th read above has informed that to obtain the details of total quantum of financial implications towards payment of pensionary and other consequential benefits, certain correspondence was made continuously since 2016 with the Pension Payment Officer, Hyderabad and Joint Director, Pension Payment Office, Hyderabad. Finally, the Joint Director, Pension Payment Office, Hyderabad has communicated the information regarding the Quantum of Financial implications towards payment of Pensionary and other consequential benefits in respect of Late Sri T.S.Lakshman Rao, Rtd CDPO, ICDS Project, Kodumuru, Kurnool District. The total Financial implications towards payment of Pensionary and other consequential benefits w.e.f 30.07.2006 to 23.07.2018 (till death) informed

as **Rs.23,54,802/-**. Further, vide 11th read above, the Director, WD&CW, has informed that there is no disciplinary case is pending against Sri T.S.Lakshman Rao, Retd., C.D.P.O.

8. Government after careful examination of the entire matter hereby decided and order to release the pensionery benefits in respect of Late Sri T.S.Lakshman Rao, Retd. C.D.P.O., I.C.D.S.Project, Kodumuru, Kurnool District, to his legal heirs by setting aside the orders issued in G.O.Rt.No.231, W.D.C.W & D.W (Estt.) Dept. dt.11-07-2005, in pursuance of Hon'ble A.P.H.C orders dt.09-02-2012 in Criminal Appeal No.491 of 2005, acquitting him from the sentence imposed by S.P.E & A.C.B Cases, City Civil Court, Hyd, in C.C.No.11 of 1994, dated 09-03-2005.

9. The Director, WD&CW is requested to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

M T KRISHNA BABU
PRINCIPAL SECRETARY TO GOVERNMENT (I/c)

To
The Director, WD&CW, Guntur.
The Regional Joint Director, WD&CW, Kurnool.
The legal heirs of Late Sri T.S.Lakshman Rao, Retd. C.D.P.O.,
I.C.D.S.Project, Kodumuru, Kurnool District
(through Director, WD&CW)
The A.P.Vigilance Commission, A.P.Secretariat, Velagapudi.
The Director of Treasuries & Account, Ibrahimpatnam,Vijayawada.
The Accountant General, A.P, Vijayawada.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER